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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

PATRICIA KAMMEYER, et al. : **Case No. C-01-649**

Plaintiffs : **Spiegel, J.**

vs. : **STIPULATION OF DISMISSAL
OF OFFICIAL CAPACITY**

CITY OF SHARONVILLE, et al. : **CLAIM AGAINST DEFENDANT
SCHAPPA**

Defendants :

Pursuant to Fed. R. Civ. P. 41(a)(1) and the discussion between counsel and the court at the final pretrial conference on May 31, 2006, the parties hereby stipulate to the dismissal of all claims under 42 U.S.C. §1983 against defendant Schappa in his official capacity as that is a redundant claim with the claim against the City of Sharonville. The City of Sharonville remains a defendant in this action. The dismissal of official capacity claims against Mr. Schappa shall not in any way reduce or otherwise impact the relief available against defendant City of Sharonville.

Respectfully Submitted,

/s/ Alphonse A. Gerhardstein
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